

1 STEPHANIE M. HINDS (CABN 154284)
2 United States Attorney

3 THOMAS A. COLTHURST (CABN 99493)
4 Chief, Criminal Division

5 CLAUDIA QUIROZ (CABN 254419)
6 KATHERINE LLOYD-LOVETT (CABN 276256)
7 Assistant United States Attorneys
C. ALDEN PELKER (MD)
Trial Attorney
Computer Crime & Intellectual Property Section
United States Department of Justice

8 450 Golden Gate Avenue, Box 36055
9 San Francisco, California 94102-3495
Telephone: (415) 436-7428
FAX: (415) 436-7234
10 claudia.quiroz@usdoj.gov
katherine.lloyd-lovett@usdoj.gov
catherine.pelker@usdoj.gov

12 Attorneys for United States of America

13 UNITED STATES DISTRICT COURT

14 NORTHERN DISTRICT OF CALIFORNIA

15 SAN FRANCISCO DIVISION

16 UNITED STATES OF AMERICA,) NO. CR 16-00227-SI-5
17 Plaintiff,)
18 v.)
19 BTC-E, A/K/A CANTON BUSINESS)
20 CORPORATION,)
21 and)
22 ALEXANDER VINNIK,)
23 Defendants.)

25 The United States of America (“the government”) hereby submits this status report in the above-
26 referenced matter to provide the Court with an update on its discovery productions since the parties’ last
27 appearance before the Court on December 16, 2022.
28

1
2 The parties appeared before the Court for a status conference on December 16, 2022. [Dkt. No.
3 40.] At the hearing, the Court ordered the government to provide the following discovery by February
4 14, 2023: (1) All search warrants and returns for all digital data (excluding the Softlayer and Equinix
5 servers for BTC-e) and financial records; (2) all ROIs; (3) all devices and all documents regarding the
6 chain of custody; and (4) all documents in the government's possession relating to the French criminal
7 case and Greek extradition proceedings against Mr. Vinnik.

8 The government has made eight discovery productions to defense counsel in this case, four of
9 them since the last hearing. Specifically, the government has made discovery productions on the
10 following dates: January 2, 7, and 25; and February 10, 2023. With certain limitations as conveyed to
11 defense counsel and described below, the government has produced the four categories of discovery as
12 ordered by the Court.

13 With respect to its discovery productions, the government has endeavored to provide data in an
14 accessible form to the greatest extent possible. Certain files were stored in encrypted or password-
15 protected format, requiring the application of passwords or keys to the data to review and produce the
16 records. The government has told defense counsel that it can make copies of those items in their native,
17 encrypted format, upon request. The government has also told defense counsel that it is continuing to
18 work to access and decrypt several remaining items and will provide them as they are available.

19 Consistent with its prior conversations with defense counsel regarding the voluminous electronic
20 discovery and as anticipated by the Court's order, the government has not produced full images of all the
21 servers obtained in the investigation or the full collection of network traffic. However, the government
22 has offered to make those items available to the defense for inspection and remains prepared to provide
23 images of particular servers upon request.

24 The government has also notified defense counsel that certain information related to confidential
25 informants, undercover operations, or sensitive ongoing investigations has been withheld but that, to the
26 extent that information is discoverable, it will be provided in advance of trial. Once a trial date is set,
27 the government will work with defense counsel to determine an appropriate discovery schedule for this
28 subset of information.

The government has offered to meet and confer with defense counsel in advance of the hearing and remains willing to engage with defense counsel to the extent there are any outstanding questions or concerns regarding discovery.

Respectfully submitted,

STEPHANIE M. HINDS
United States Attorney

DATED: February 15, 2023

/s/
CLAUDIA QUIROZ
KATHERINE LLOYD-LOVETT
Assistant United States Attorneys
C. ALDEN PELKER
Trial Attorney, CCIPS
Assistant United States Attorney